

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FORM TPA 016  
Revised 10/5/05

IN RE:

|                    |   |                               |
|--------------------|---|-------------------------------|
| _____              | : | Case No. _____                |
| _____              | : | Chapter 13                    |
| <i>Debtor(s)</i>   | : |                               |
| _____              | : |                               |
| _____              | : |                               |
| <i>Movant,</i>     | : |                               |
| v.                 | : | Related to Document No. _____ |
| _____              | : |                               |
| _____              | : |                               |
| <i>Respondent.</i> | : |                               |

**CONDITIONAL ORDER OF DISMISSAL**

AND NOW, this \_\_\_ day of \_\_\_\_\_, 20 \_\_, after hearing on the *Motion to Dismiss Bankruptcy Case* filed by \_\_\_\_\_,

It is hereby **ORDERED, ADJUDGED and DECREED** that the Motion to Dismiss is **DENIED**, *provided however*, so long as the Debtor timely makes full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due, *time being of the essence*, commencing with the month in which this Order is entered. Approved wage attachment remittances shall be considered a “plan payment” for purposes of this Order. For the duration of this bankruptcy case, in the event that the Debtor fails to make any subsequent plan payments to the Trustee then the stay of this Order shall be vacated and the case dismissed upon the filing of an Affidavit of Default by Movant without further hearing or without entry of an additional order. Such Affidavit of Default shall contain a statement of the default as supported by the creditor’s own records as well as the records of the Trustee.

\_\_\_\_\_  
Thomas P. Agresti  
United States Bankruptcy Judge

Case Administrator to mail to:  
Ronda Winnecour, Esq.  
Via CM:ECF e:mail  
Debtor  
Counsel for Debtor  
Counsel for Movant